

The greatest advances in food output have been made in countries that have given land to the tiller as well as better fertilizer and technology. Better nutrition, in turn, is demonstrably the most effective way to reduce infant mortality, which, paradoxically, helps to reduce rather than to increase population growth. Farm parents who firmly expect their first two or three children to live turn away from the practice of having seven or eight children as insurance against childhood deaths.

The pending Senate aid bill, if approved in conference, could put development assistance on this right track. It would encourage help from those who help themselves, but it would not forestall any subsequent Congressional action to discourage Third World governments from undermining the United Nations and human rights worldwide.

## NOTE

In the RECORD of November 13, 1975, at page S19898 the remarks in the third column are those of Mr. BROOKE. The permanent RECORD will be corrected, as follows:

Mr. BROOKE. Mr. President, those of us from coastal States remember too well dramatic examples of oil slicks that ruined our beaches and inflicted slow, painful death to our wildlife. But the problem of oil spills is not confined to offshore pollution. All parts of the country have been exposed to accidents on transportation routes at oil terminals which spoiled hundreds of thousands of acres of earth and inland waterways.

Unfortunately, our present oil spill liability laws, which were written ad hoc and are often at cross purposes, do not adequately protect our citizens. The administration and Members of both parties agree that these laws need recodification and strengthening. And we agree that we must establish a Federal oil pollution fund which can be tapped at once if an oil spill emergency occurs.

The measure which Senator BIDEN is introducing today and which I am cosponsoring, and which my colleague Congressman GERRY STUDTS of Massachusetts introduced in the House, will accomplish these goals. Furthermore, I think it is the clearest and strongest legislative package before the Senate. For one thing, it has the broadest liability coverage. All persons or corporations who spill oil or who violate safety and construction standards of oil facilities so as to cause spills are liable for damages. For another, private industry contribution to the Federal Oil Pollution Compensation Fund is greater than in any other bill before the Senate because a greater variety of oil transfers are taxed.

But most important, I believe this is the legislation best able to assure that our land and waters stay clean and that, if a spill does occur, it gets cleaned up thoroughly and quickly. Because the bill puts no limit on the amount of cleanup cost for which spillers can be charged, there is the strongest possible incentive to avoid spills and to clean them up fast before they spread.

The other legislation proposed to deal with oil spill liability insurance limits liability for both clean up and damages to a maximum of \$100 million. But in this past year alone, cleaning up ocean spills in the United States costs as much as \$25

per gallon and close to 17 million gallons were spilled. These costs will go up, and there is no reason all taxpayers should pay them. In fact, limits on cleanup liability might be seen as a signal to polluters that, beyond a certain point, it becomes a matter of indifference how bad the mess is.

This measure is a vehicle by which the Congress can send a message to those who ship, handle, and store our petroleum resources on land and sea. It will say clearly to the industry that it cannot afford to ignore any precautions or safety measure. And it will leave no doubt that the Government will protect the environment and the consumer from the ravages of oil spills and place the responsibility for safety squarely where it should be—with the oil industry.

Mr. President, as we enter an era in which every drop of oil is precious and in which we recognize the great value of all our remaining natural resources, we must be protected by such a law. I urge my Senate colleagues to enact this measure expeditiously.

## NOTE

In the RECORD of Friday, November 14, 1975, Mr. CRANSTON's remarks beginning on page S20155 contain typographical errors. In the permanent RECORD Mr. CRANSTON's remarks will be corrected to read as follows:

## INTELLIGENCE AND ACCOUNTABILITY; THE CONSTITUTIONAL REQUIREMENT

Mr. CRANSTON. Mr. President, the Constitution of the United States, article I, section 9, clause 7, reads:

No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Note the words "no" and "all" in this straightforward constitutional requirement. The Founding Fathers were clear in their desire to insure accountability and responsibility in the spending of taxpayers' funds under a system of representative democracy.

Frankly, Mr. President, we have not lived up to our constitutional obligations in this body and the other House when it comes to scrutinizing the public funds spent by the intelligence agencies, especially the Central Intelligence Agency. In my view, the situation is scandalous. Year in and year out we vote billions of dollars for purposes we know not. As senior members of the intelligence oversight committees have admitted, they often do not know what they are authorizing or voting money for. To quote a senior Member of the other House:

We have tried and tried and tried to hold the secrecy of these matters as closely as we could.

But, of course, we all bear the responsibility for avoiding responsibility in this area.

As a member of the Budget Committee, I am firmly resolved to make sure that I know what we are being asked by the administration to include in the functional targets of the budget. I am sorry to say that we recently voted on

the national defense and international affairs functional targets without knowing for sure what security assistance money was in which function for whom.

As a Member of this body, I am determined to strengthen the oversight powers of Congress in riding herd on the activities and operations of the intelligence agencies. Recently, when the foreign economic assistance legislation was before us, I introduced several proposals designed to provoke discussion on alternative means for Congress to be informed and able to act on covert operations by the CIA.

As a citizen, as well as a legislator, I want to know how money raised from taxes is being spent.

Therefore, Mr. President, today I am suggesting some legislative means by which the Senate can assure that it knows where the money for the CIA is in the budget and how much it is. I do not intend to press, at this time, for amendments to the DOD appropriations bill on these matters. I am hopeful that the Church committee will recommend a comprehensive and effective oversight structure that among other things, will regularly inform us, at least in overall terms, of how the tax dollar is being spent for intelligence.

Nevertheless, it may be useful to remind ourselves in this body that we now have both the knowledge and the power to expose the amount of money being spent for any facet of national security. It is absurd to argue otherwise, as some do when they refer to section 102(d)(3) of the National Security Act of 1947, as amended. This section provides that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure. But, in no way, Mr. President, does that bind the world's most powerful legislature or prevent it from discussing whatever it pleases in open forum before the people we represent. Since when could an official of the executive branch dictate what we can and cannot discuss in this place?

Representative GAIAMO, of Connecticut, proposed a constructive, if complicated, way for Congress to reveal the total CIA budget when the defense appropriations bill was debated in the House a few weeks ago. I would like to outline it for my colleagues' consideration for possible future use if we do not soon get public accountability on the CIA budget.

Perhaps it is helpful to first give a brief description of the discussion of the CIA budget at the committee stage in the House.

## COMMITTEE BACKGROUND

This year, for the first time, the Defense Appropriations Subcommittee of the House held hearings on intelligence spending. On September 25, the full House Appropriations Committee voted 30 to 19 not to receive CIA and other intelligence agency budget figures. As a result, the full committee accepted without discussion the subcommittee recommendation for a cut of \$263.2 million in intelligence activities in fiscal year 1976 and \$81 million in fiscal year 1977 without knowing what the overall spending of CIA and other agencies would be or what operations would be curtailed by the cuts.

The Senate Appropriations Committee restored \$123.4 million for fiscal year 1976 and \$12.3 million for fiscal year 1977—see page 31, line 6 of the committee bill—between the time of the DOD Subcommittee markup and the full committee markup. The Director of the Central Intelligence Agency had appealed to the Senate for a restoration of most of the House cuts.

Representative GIAIMO of the House DOD Appropriations Subcommittee wanted the full committee to discuss the CIA budget in closed session. But Chairman MAHON told him at a September 25 meeting that he could not mention intelligence figures to fellow committee members. Mr. MAHON did offer to let his own committee members review the secret subcommittee testimony on intelligence agency budgets. He repeated this offer to all Members on the House floor 5 days later during the debate on the DOD appropriations bill. To see the classified intelligence hearings and budgets, a Representative has to sign for the material and refrain from taking notes. He also has to agree to disclose it only to "authorized people."

#### THE DOD APPROPRIATIONS BILL AND HOUSE FLOOR ACTION

When the DOD appropriations bill came to the House floor, Representative GIAIMO offered the following amendment:

Under "Other Procurement, Air Force," on page 31, line after "September 30, 1978," strike the period and insert in lieu thereof: "Provided, That none of the funds in this appropriation shall be available for expenditure by the Central Intelligence Agency."

The bill contains funds for the Central Intelligence Agency, the Defense Intelligence Agency, and the National Security Agency.

Representative GIAIMO's amendment dealt only with the CIA. The purpose of it was not actually to deny funds to the CIA, but rather to force publication in the bill of the total figure for the CIA concealed within it. He rejected the approach of coming to the House with a straight-out amendment saying, "Resolved, That there shall be appropriated for the CIA  $x$  dollars," with the amount filled in. But this is a simpler approach the Senate may wish to consider.

Instead, he chose to use a circuitous route of first seeking the will of the House as to whether or not they wished to legislate with knowledge as to what the total budget figure for the CIA is.

Therefore, the amendment did not name the amount. But Representative GIAIMO cited published estimates in the course of his remarks in the other body which indicate that the CIA budget totals approximately \$750 million. I refer to his statement in the October 1 RECORD, page H9361, where he suggests that Members of the House examine the budget figure for the CIA and then compare it with published estimates he cited.

The Giaimo amendment referred to those items totaling \$2,010,400,000 under the heading "Other procurement, Air Force." Here is the way those items are described in the Senate bill commencing on line 16, page 30:

#### OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed six hundred and twelve passenger motor vehicles for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such lands and interests therein may be acquired, and construction prosecuted thereon prior to the approval of title as required by section 355, Revised Statutes, as amended; reserve plant and Government and contractor-owned equipment layaway; \$2,010,400,000 \$2,133,800,000, to remain available for obligation until September 30, 1978.

For "Other procurement, Air Force" for the period July 1, 1976, through September 30, 1976; \$358,000,000, to remain available for obligation until September 30, 1978.

The amendment proposed by the Congressman read that where the overall figure of \$2,010,400,000 existed in the bill—see page 31, line 6, of the Senate bill—a clause be inserted which stated:

Provided, that none of the funds in this appropriation shall be available for expenditure by the Central Intelligence Agency.

(Thus the Members were told where the CIA money was buried, that is, under "Other procurement, Air Force.")

Under this approach, the House could show its will without disclosing the line item figure for the CIA beforehand.

If Representative GIAIMO's first amendment had passed, he intended to offer a second amendment under title VIII—"Related Agency"—see page 60 of Senate-marked bill—restoring funds for the CIA. He planned to propose the exact figure which the committee had voted for the Agency and included in the bill without revealing it.

Thus Representative GIAIMO's amendments would not have cut the budget of the CIA. They would have taken the secret appropriation out of the bill in one place and restored it openly thereafter in another place.

If we wished to take formal action reveal the size of the CIA's budget in the DOD appropriations bill before us, Mr. President, we could offer the Giaimo amendment at page 31, line 8 of the Senate-marked bill:

Under "Other Procurement, Air Force," on page 31, line 8 after "September 30, 1978," strike the period and insert in lieu thereof: "Provided, That none of the funds in this appropriation shall be available for expenditure by the Central Intelligence Agency."

If it passed, a technical amendment could be offered reducing the amount on line 6, page 31 by \$750,000,000—accepting Representative GIAIMO's calculations—so that it could not be used by the CIA, thereby cutting it from \$2,133,800,000 to \$1,383,800,000.

Then a third amendment could be offered under title VIII—"Related Agency"—stipulating \$750,000,000—or less—for the CIA. For example: "For necessary expenses of the Central Intelligence Agency, \$750,000,000."

It should be stressed that this discussion has focused only on the CIA's budget, and that the annual cost of the work of the entire intelligence community, including a number of other agencies, runs into the billions.

I raise these matters for my colleagues' consideration.

Thank you, Mr. President, I will offer no amendment on this matter at this time.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. ROBERT C. BYRD. Mr. President, will the Chair recognize the Senator from Rhode Island at this point?

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

#### PUBLIC BROADCASTING FINANCING ACT OF 1975

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 441, H.R. 6461, an act to amend certain provisions of the Communications Act of 1934.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 6461) to amend certain provisions of the Communications Act of 1934 to provide long-term financing for the Corporation for Public Broadcasting, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I move that all after the enacting clause of H.R. 6461 be stricken, that there be substituted therefor the text of S. 2584, as reported by the Committee on Commerce, and that it be considered original text for further amendments.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on final passage.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, this committee substitute is a compromise bill to provide long-range funding for public broadcasting in the United States.

On March 21, the Senate Commerce Committee reported another bill, S. 893, to provide long-term financing for the Corporation for Public Broadcasting. That bill was then referred to the Senate Committee on Appropriations where it is now pending.

The committee substitute is in every significant way a duplicate of the earlier legislation that was favorably reported by the Senate Commerce Committee. Like S. 893, this legislation has three principal purposes relating to the Corporation for Public Broadcasting and the system of noncommercial educational radio and television stations:

First. To provide long-term Federal financing for the Corporation for Public Broadcasting by means of a 5-year authorization;

Second. To assure that a portion of Federal funds is distributed to local noncommercial educational broadcast stations; and

Third. To expand the scope of the Public Broadcast Act of 1967 to include the development and use of nonbroadcast communications technologies for the distribution and dissemination of educational radio and television programming.

The only significant difference between this bill and S. 893 is the separation of the appropriation and authorizing functions with respect to long-term funding for public broadcasting. The committee hopes that this bill will provide the appropriate compromise vehicle to authorize long-term public financing for public broadcasting.

The Corporation for Public Broadcasting is functioning now on a continuing resolution. The basic programming decisions for the next TV season must be made within the next few months, so it is important that authorizing legislation be enacted.

I should like to summarize why this new legislation is necessary. Companion legislation to S. 893 in the House of Representatives, H.R. 6461, was favorably reported by the Committee on Interstate and Foreign Commerce on May 22, 1975, and was then referred to the Committee on Appropriations. But the House Appropriations Committee reported the bill unfavorably on July 22, 1975.

The House Appropriations Committee opposed H.R. 6461 because it objected to the inclusion of appropriations in the authorization vehicle. The Appropriations Committee had no objection to the authorization language, the matching requirements, or the other essential features of the bill. The House Appropriations Committee stated in the body of its report that it would make appropriations to carry out the intent of H.R. 6461 following its enactment. The House Appropriations Committee apparently does not intend to delay in any way the availability of funds for public broadcasting. But the House Committee did object to the automatic appropriation for the 5-year period ending September 30, 1980, proposed by H.R. 6461. It "does not in principle oppose advance appropriations for public broadcasting, and will include appropriations for the 3 fiscal years ending September 30, 1974 in an appropri-

tion bill if and when H.R. 6461, or similar legislation, is enacted."

The committee now proposes this 5-year authorization bill for the Corporation for Public Broadcasting with the assurance of the Appropriations Committee that they will proceed immediately to consider appropriations for the Corporation under the authorizing legislation.

The bill provides the following authorizations.

For the fiscal year ending June 30, 1976, \$88 million; for the period July 1, 1976, through September 30, 1976 \$103 million; for the fiscal year ending September 30, 1977, \$121 million; for September 30, 1978, \$140 million; and \$160 million for the fiscal year ending September 30, 1980.

Mr. HELMS. Mr. President, the Senator from North Carolina is greatly concerned about the 5-year funding of the Corporation for Public Broadcasting, as contained in this bill. In fact, this Senator would be concerned about a 5-year funding of any agency, because it is a plain fact of life that you are not going to authorize funds and then reduce the amount when appropriation time rolls around. So this bill is going to add to the burdens of the American taxpayers.

Furthermore, Mr. President, the Senator from North Carolina is greatly concerned about the whole concept of the Government operating a communications facility, particularly one that has a demonstrable record of propaganda and ill-advised activism.

I have received hundreds of protests from citizens of my State and other States who have viewed with astonishment and sometimes disgust the program material distributed by this Government facility and paid for by the taxpayers of this country.

Mr. President, I am going to vote against this bill. I realize that, like so many other matters that come before the Senate, it is already a fait accompli. It will be approved, perhaps because not enough Senators have given enough thought to the implications of a taxpayer-paid Government facility with such a potential for propaganda. I think that somewhere along the line, the Senate of the United States should take a look at what it is doing in approving the financing of putting the Government in the news business, and that is what it amounts to.

Furthermore, Mr. President, the Senator from North Carolina, with all due respect to the distinguished Members of the committee, regrets the recent disapproval of the nomination of a distinguished citizen of this country whose name was sent to the Senate for consideration as a member of the Public Broadcasting Board. I refer, of course, to Mr. Joseph Coors, of Colorado.

I know Mr. Coors intimately. I know of his dedication to his country. I have observed him sacrifice both his time and his energy, not to mention his own personal resources, in advancement of a sound philosophy of government in which he fervently believes.

I hope the Senator from North Carolina is incorrect in his feeling that the

nomination of Mr. Coors may have been rejected by the committee simply because of his conservative political and governmental philosophy. We have come to a pretty poor pass, I think, when a man who is decent and honorable and capable and courageous cannot be approved simply because the prevailing majority does not agree with him.

So I regret the rejection of Mr. Coors, which of course has little to do with the matter before us; but I have not had occasion prior to this time to address myself to my sadness that he was rejected in his nomination.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. HELMS. I am delighted to yield.

Mr. PASTORE. I can say to my distinguished colleague from North Carolina that I never agonized over an appointment more in my life.

Mr. HELMS. I know that that is correct.

Mr. PASTORE. I think he understands that. As a matter of fact, at the termination of the hearings, I asked Mr. Coors categorically if he thought he had been treated fairly, and he said yes, he thought so.

The question that concerned the committee was a conflict of interest. I have said many, many times—this rejection is no reflection upon Mr. Coors' integrity. His political philosophy is his own business, and we had no right to nor did we get involved in it. I assure the Senator from North Carolina that we did not become involved in it. But there was a question of conflict of interest.

I asked Mr. Coors if he did not agree that there was a conflict of interest. He agreed.

Then I said to him,

Well, then, why don't you resign as a director of Television News, Inc.?

He paused to think, and he said that that would be cosmetic and that that would not make any difference, because he still owned the majority of the Television News, Inc. stock.

I said:

But it would seem a little more likely that this nomination would be amendable to confirmation if that were done.

Mr. HELMS. Mr. President, if the Senator will yield, that is typical of the Joe Coors I know. He would not engage in any subterfuge with the Senator, or anyone else.

Mr. PASTORE. He made that offer, as I understand it, before the Television News, Inc. Board of Directors, the board overruled him. And that raised—to use a kind word—a disturbing atmosphere.

Had he resigned from the TVN Board, he would have had much stronger support among committee members. Both Senator GRIFFIN and Senator WEICKER suggested the same thing; and he said he would take it under advisement.

I said:

Well, when can we hear from you?

He said:

The directors are meeting on October 2.

When we finally heard from him again, he sent a letter in which he said that he would not resign from the TVN

Board and that his directors had said that they would still continue to try to do business with Public Broadcasting.

I want the RECORD to show clearly that Senator PASTORE is not the kind of fellow who, just because somebody disagrees with him, would oppose their nomination.

Mr. HELMS. The Senator from North Carolina would sign an affidavit to the effect that the Senator from Rhode Island is not that kind of man. He is a gentleman.

Mr. PASTORE. I would never do a thing of that kind.

Mr. HELMS. Absolutely, the Senator from North Carolina knows that, which is why I admire the Senator from Rhode Island, even though we often disagree on various issues.

Mr. PASTORE. As I said to Mr. Coors: You would make a fine member of the Cabinet. You would fit in any other post in government, and I wish you would get the appointment. But here, you have a conflict of interest which the Committee could be criticized for ignoring.

That is the reason why he was rejected.

I know that certain editorials have been written saying that this was a re-institution of the Joe McCarthy era, and all that baloney—and I use the word "baloney."

The members of the committee are not that kind of people. Speaking for myself, neither am I. I certainly would not hold the political views of Mr. Coors against him.

Mr. HELMS. I appreciate the Senator's comments, and I reiterate, the Senator from Rhode Island is a man of impeccable integrity. I was certainly not referring personally to him or to anybody else. But the fact remains that Mr. Coors' TV News, if that is the name of it, went out of business. The TV News, I believe the Senator will discover, is no longer operative. All that the company now does, if my information is correct, is produce documentaries. There are three or four other members, sitting on the Public Broadcasting Board right now, who engage in the very same thing. I say to the Senator that they have the very same conflict of interest—if indeed that is what it is—that the distinguished committee used as its stated basis for the rejection of the Coors nomination.

That is all beside the point, Mr. President. I really arose to express my concern about the 5-year funding of this Public Broadcasting Corporation and my concern about the Government's participation in the distribution of political and philosophical ideas in the mass communications arena. I am going to vote against the bill, and I have asked the distinguished Senator from Rhode Island to obtain the yeas and nays, which he has done, and for which I thank him. Unless other Senators have comments, I am prepared to vote.

Mr. THURMOND. Will the distinguished Senator yield?

Mr. HELMS. I am delighted to yield to my able friend from South Carolina.

Mr. THURMOND. Mr. President, I

wish to associate myself with the remarks of the able and distinguished Senator from North Carolina with regard to his comment on Joe Coors. I had not had the pleasure of knowing Mr. Coors personally until I met him in connection with the hearing down here, but I have many people in whom I have confidence who have talked to me and written me about him. They tell me that he is one of the finest men in this country, that he is a man of integrity, a man of character, a man of courage, a man of capacity, and that he is deeply dedicated to the best interests of this country. They also tell me of his deep and manifest interest in education and in public broadcasting. From all that I have learned about him, I reached the conclusion that he would have made an outstanding and excellent member of the broadcasting board.

I am sorry that his name was not considered favorably, but I wanted to make these remarks for the RECORD in order for the RECORD to show that, if I had been a member of that committee, I would have voted for him. If his name should come to the Senate, I would vote for him here.

I thank the Senator very much.

Mr. HELMS. I thank the distinguished Senator.

Mr. PASTORE. Mr. President, I merely want to say again, I agree Mr. Coors is an honorable man. He is a distinguished personality and a very successful businessman. His personal philosophy or his point of view on political questions were of no concern.

Mr. President, I ask unanimous consent that a colloquy on this bill between the Senator from Minnesota (Mr. HUMPHREY) and me be printed at this point in the RECORD.

There being no objection, the colloquy was ordered to be printed in the RECORD, as follows:

Mr. HUMPHREY. I thank the distinguished Senator from Rhode Island for yielding. First, let me compliment the distinguished Chairman of the Communications Subcommittee for the excellent work he has done in bringing forward a long-term financing proposal. I have always been a strong advocate of public broadcasting. I think the genius shown by the distinguished Senator from Rhode Island in creating the original concept and promoting it over the years is appreciated by the American people.

I have become aware of a problem concerning the lack of a guaranteed funding base for public radio. In previous years a guaranteed base has not been critical, because Congress handled this legislation on an annual or semi-annual authorization and appropriation cycle. S. 2584, however, is a five-year authorization. This longer-term arrangement demands careful consideration by the Senate.

My concern is based on a decision that was reached by the Corporation for Public Broadcasting after the Subcommittee on Communications had completed its hearings on public broadcasting funding legislation. Although the Corporation, in an ambiguously worded resolution, pointed out the need for the expansion of the public radio service, as well as the improvement of existing stations and services, the Board then announced that it was cutting the percentage of support for public radio activities in fiscal year 1977. The inconsistency between those statements and

the action is not only confusing but also raises the question of whether and to what extent the CPB will continue this pattern.

I feel quite strongly that there should be some sort of guaranteed reservation of funds. This would assure that public radio service would be made available to the entire population and that those stations which presently serve 64 percent of the population would be improved on an annual basis as CPB funds continue to increase.

To date, the public radio system has received approximately 17 percent of the monies distributed between radio and television by the Corporation. This has meant that over the last five years there has been little or no increase from year to year in the community service grants made to local stations by the Corporation.

All of the discretionary money that would be normally available to help develop the existing system has gone to projects to expand the coverage of the system from some 40 percent of the population up to the present 64 percent. Based on experiences of my own constituents, this has resulted in a stagnation in federal funds to assist local service at the very time we should be improving local service.

The Corporation for Public Broadcasting in the CPB-PBS Agreement recognized the need to develop local stations in television when it guaranteed 50 percent of the total appropriation in any given year to public television community service grants. The Corporation further guarantees its own growth and development through the reservation of 10 percent of the total appropriation for its own use. The Corporation does not give any guarantee to the radio community, thereby placing the radio stations in constant jeopardy of having their funds diminished.

Given the situation I have outlined, I think it would be fair and equitable for the Corporation to reconsider its FY 1977 decision thereby providing not only for the development of the present public radio system, but also the expansion of the system. It is my understanding that it would take at least 16.75 percent of the total appropriation to get the existing system moving again with increased community service grants and should take an additional 5 percent to 8 percent per year of the appropriation for the purpose of completing the basic radio system.

Mr. PASTORE. If the gentleman will yield, he is referring to at least a 25 percent commitment of the total appropriation for radio purposes. Is that correct?

Mr. HUMPHREY. Yes; that is correct, and I think that is only fair, given the existence of the CPB-PBS 50 percent guarantee policy for public television and the 10 percent guarantee for the Corporation itself. Of course, 50 percent is not all the public television industry receives. They receive roughly 80 percent of the money when we count CPB's support of television programming and interconnection services.

Mr. PASTORE. Numbers like 50 percent or 10 percent or 25 percent tend to be arrived at rather arbitrarily. Is there some justification the Senator can offer for the 25 percent?

Mr. HUMPHREY. I agree with the distinguished Chairman that numbers of this type are arrived at rather arbitrarily, but I think in this case we have a precedent that sets aside 17 percent, and we have seen that it stagnates the growth of the present system while building the new stations. Five to eight percent of the appropriation seems to me a reasonable additional commitment when we consider that 34 of the top 100 markets have no public radio service and that 11 states have no public radio service.

Mr. PASTORE. I agree with the Senator

that the existing radio system should not be taxed unduly to develop the new stations. There has been a long history of underdevelopment of the radio system. Our original bill in 1967 provided for the development of one or more systems of public radio and television. We have largely completed the development of the television system and this legislation requires that CPB begin to give the radio system more attention.

Mr. HUMPHREY. I might say it is due to the leadership of the gentleman from Rhode Island that radio was included in the bill at all in 1967 and was made eligible for grants under the Educational Broadcasting Facilities Act. I compliment the gentleman on his foresight in starting the development of public radio.

Minnesota, for instance, local support growing by leaps and bounds and the Public Radio stations now cover the entire state. All of our major educational institutions, major industries and citizens have joined together to build a really first-rate public resource. Minnesota has proven that public radio, given sufficient federal, state and local support, is a vital and appreciated resource. I think it is important not to nip this development and enthusiasm in the bud.

Mr. PASTORE. I share the Senator's belief that Public Radio is very important. States such as Minnesota stand as models to the rest of the Nation for the services and quality that public radio has to offer to the listening public. I agree with the distinguished Senator from Minnesota that the system we began in 1967 must be quickly completed because frequency allocations are drying up.

I might point out that the funding mechanism in S. 2584 assures, for the first time, that every qualified radio station will receive annual support from the Corporation for Public Broadcasting.

The Senator from Minnesota has described inadequacy of community service grants to public radio stations in the past. As the Senator realizes, the entire public broadcasting system has been severely starved for adequate, assured funding. It is my hope that this legislation will begin to open up adequate financial resources to all of public broadcasting. The substantially increased authorization ceilings in this bill would greatly increase the available support for public radio, even if its historical share remained constant.

It is my hope that the Corporation for Public Broadcasting and the local radio stations, whose views CPB must solicit, will work together to determine the most effective way federal support can be used to make public radio all that you and I have worked for over the years. This bill gives National Public Radio an assurance that every qualified public radio station will receive a community service grant. It requires that these grants come from the 50 percent share that was formerly solely for television community service grants. This is a beginning.

I oppose the imposition of a rigid formula because it would restrict the flexibility now needed by the CPB to channel funds into those areas of the country where either the television or radio system needs the greatest degree of stimulation. The extremely limited federal monies available to public broadcasting must do the best job possible. It is the consensus of the Committee that a rigid formula for the allocation of monies between public radio and television will not contribute to this goal.

Mr. HUMPHREY. I thank the gentleman for his statement and his assurances, and I want to assure him that he can count on my support not only for this bill but also for a re-examination of the state of development of public radio.

Mr. PASTORE. I assure the Senator from Minnesota that the Communications Sub-

committee of the Senate Commerce Committee will closely monitor the decisions by CPB which affect public radio.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HANSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JOHNSTON). Without objection, it is so ordered.

Mr. HANSEN. Mr. President, the long-range funding for public broadcasting is on the calendar and presently under discussion. I do not wish to speak directly to this issue, but, rather, to say, that the connection between public broadcasting and one of the President's nominees, who was rejected by the Committee on Commerce, directs me to make an observation about a very good and long-time friend of mine, Joe Coors.

Mr. Coors is highly regarded in the West and, I think, indeed, wherever he is known. He and his family have been public benefactors for years. They have contributed to a number and a great variety of different projects in Colorado, in the West, and for the Nation. I think Mr. Coors has the highest sense of personal integrity of anyone I have ever known. I have nothing but great admiration for him and for his family.

I must say I was sorely distressed that he was rejected by the Committee on Commerce. It occurred to me at the time that the question might appropriately be asked, are there not other members on the Public Broadcasting Board who have similar interests that could have been brought into question, just as was true with Joe Coors. I leave that up to the committee to answer.

I did not want to permit this legislation to pass without taking this opportunity to speak in his behalf and to acknowledge the great contribution that the Coors family, and Joe specifically, have made to a better America.

Mr. PASTORE. I thank my distinguished colleague from Wyoming. Let me put this as strongly as I can: where there was a vacancy for the Secretary of Commerce, had the President sent up the name of Joe Coors, I would have voted for him. But the Corporation for Public Broadcasting seemed to be the wrong place for him, for the simple reason that he is in competition with Public Broadcasting. That was the reason that the majority of the committee rejected him for that particular post.

There is no question about his integrity. He is a wonderful family man, he is married to a very lovely lady. We received a nice letter from her. We asked him at the conclusion of the hearings if he thought he had been treated fairly. He said, "Yes, I have."

As I said to Mr. HELMS, I have never agonized more over a nomination than I did over this one. I always hoped that he would resign from the TUN Board of Directors.

Mr. HANSEN. I appreciate the comments by my good friend from Rhode

Island, Mr. President. I have oftentimes disagreed with my good friend, but I have never questioned his honesty or his integrity either, as he knows.

Mr. HELMS. Third reading, Mr. President.

Mr. PASTORE. Before we get to that, may I make a parliamentary inquiry. As I understand it now, everything after the enacting clause in the House bill has been deleted and the text of the Senate bill has been substituted therefor.

The PRESIDING OFFICER. That is correct.

Mr. PASTORE. I thank the Chair.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Iowa (Mr. CULVER), the Senator from Mississippi (Mr. EASTLAND), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Mexico (Mr. MONTANA), the Senator from Maine (Mr. MUSKIE), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Mississippi (Mr. STENNIS), and the Senator from California (Mr. TUNNEY) are necessarily absent.

I also announce that the Senator from Wyoming (Mr. MCGEE) is absent on official business.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. BURDICK), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. BROOKE), the Senator from Nebraska (Mr. CURTIS), the Senator from Arizona (Mr. GOLDWATER), the Senator from Oregon (Mr. HATFIELD), the Senator from



Nebraska (Mr. HAUSKA), the Senator from Nevada (Mr. LAXALT), the Senator from Idaho (Mr. McCLEURE), and the Senator from Ohio (Mr. TAFT) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. HATFIELD) would vote "yea."

The result was announced—yeas 67, nays 6, as follows:

[Roll Call Vote No. 495 Leg.]

YEAS—67

Abraham	Glenn	Nelson
Baker	Gravel	Nunn
Beall	Griffin	Packwood
Belmont	Hansen	Pastore
Brook	Hart, Gary	Pearson
Bumpers	Hart, Philip A.	Pell
Byrd	Hartke	Percy
Harry F., Jr.	Haskell	Roth
Byrd, Robert C.	Hathaway	Schweiker
Cannon	Huddleston	Scott, Hugh
Caso	Jackson	Sparkman
Chiles	Javits	Stafford
Church	Johnson	Stevens
Curtis	Leahy	Stevenson
Frankston	Long	Stone
Dole	Mansfield	Symington
Domenici	Mathias	Talmadge
Durkin	McClellan	Thurmond
Eagleton	McIntyre	Tower
Fannin	Metcalfe	Welcker
Fong	Mondale	Williams
Ford	Morgan	Young
Garn	Moss	

NAYS—6

Allen	Helms	Scott,
Barlett	Proxmire	William L.
Buckley		

NOT VOTING—27

Bart	Eastfield	McGee
Benton	Hollings	McGovern
Biden	Brusca	Montoya
Brooke	Humphrey	Muskie
Burdick	Inouye	Randolph
Culver	Kennedy	Ribicoff
Curtis	Laxalt	Stennis
Eastland	Magnuson	Taft
Goldwater	McCleure	Tunney

So the bill (H.R. 6461), as amended, was passed as follows:

**Resolved**, That the bill from the House of Representatives (H.R. 6461) entitled "An Act to amend certain provisions of the Communications Act of 1934 to provide long-term financing for the Corporation for Public Broadcasting, and for other purposes", do pass with the following amendment:

Strike out all after the enacting clause and insert:

That this Act may be cited as the "Public Broadcasting Financing Act of 1975".

**SEC. 2.** Subsection 396(k) of the Communications Act of 1934 is amended by inserting after paragraph (2), the following paragraphs:

"(3) There is hereby established in the Treasury a fund which shall be known as the Public Broadcasting Fund, administered by the Secretary of the Treasury. There are authorized to be appropriated to said fund for each of the fiscal years during the period beginning July 1, 1975, and ending September 30, 1980, an amount equal to 40 per centum of the total amount of non-Federal financial support received by public broadcasting entities during the fiscal year second preceding each such fiscal year, and for the period July 1, 1976, through September 30, 1978, an amount equal to 10 per centum of the total amount of non-Federal financial support received by public broadcasting entities during the fiscal year ending June 30, 1975: *Provided, however*, That the amount so appropriated shall not exceed \$88,000,000 for the fiscal year ending June 30, 1976; \$22,000,000 for the period July 1, 1976, through September 30, 1976; \$103,000,000 for the fiscal year ending September 30, 1977; \$121,000,000 for the fiscal year ending September

30, 1978; \$140,000,000 for the fiscal year ending September 30, 1979; and \$160,000,000 for the fiscal year ending September 30, 1980.

"(4) The funds authorized by this subsection shall be used solely for the expenses of the Corporation. The Corporation shall determine the amount of non-Federal financial support received by public broadcasting entities during each of the fiscal years indicated in paragraph (3) of this subsection for the purpose of determining the amount of each authorization, and shall certify such amount to the Secretary of the Treasury. Upon receipt of such certification, the Secretary of the Treasury shall disburse to the Corporation, from such funds as may be appropriated to the Public Broadcasting Fund, the amount authorized for each of the fiscal years and for the period July 1, 1976, through September 30, 1976, pursuant to the provisions of this subsection.

"(5) The Corporation shall reserve for distribution among the licensees and permittees of noncommercial educational broadcast stations that are on the air an amount equal to not less than 40 per centum of the funds disbursed to the Corporation from the Public Broadcasting Fund during the period July 1, 1975, through September 30, 1976, and in each fiscal year in which the amount disbursed is \$88,000,000 or more but less than \$121,000,000, not less than 45 per centum in each fiscal year in which the amount disbursed is \$121,000,000 or more but less than \$160,000,000; and not less than 50 per centum in each fiscal year in which the amount disbursed is \$160,000,000.

"(6) The Corporation shall, after consultation with licensees and permittees of noncommercial educational broadcast stations that are on the air, establish, and review annually, criteria and conditions regarding the distribution of funds reserved pursuant to paragraph (5) of this subsection, as set forth below:

"(A) The total amount of funds shall be divided into two portions, one to be distributed among radio stations, and one to be distributed among television stations. The Corporation shall make a basic grant from the portion reserved for television stations to each licensee and permittee of a noncommercial educational television station that is on the air. The balance of the portion reserved for television stations and the total portion reserved for radio stations shall be distributed to licensees and permittees of such stations in accordance with eligibility criteria that promote the public interest in noncommercial educational broadcasting, and on the basis of a formula designed to—

"(i) provide for the financial need and requirements of stations in relation to the communities and audiences such stations undertake to serve;

"(ii) maintain existing, and stimulate new, sources of non-Federal financial support for stations by providing incentives for increases in such support; and

"(iii) assure that each eligible licensee and permittee of a noncommercial educational radio station receives a basic grant.

"(B) No distribution of funds pursuant to this subsection shall exceed, in any fiscal year, one-half of a licensee's or permittee's total non-Federal financial support during the fiscal year second preceding the fiscal year in which such distribution is made.

"(7) Funds distributed pursuant to this subsection may be used at the discretion of stations for purposes related to the provision of educational television and radio programming, including but not limited to producing, acquiring, broadcasting, or otherwise disseminating educational television or radio programs; procuring national or regional program distribution services that make educational television or radio programs available for broadcast or other dissemination at times chosen by stations; acquiring, replac-

ing, and maintaining facilities, and real property used with facilities, for the production, broadcast, or other dissemination of educational television and radio programs; developing and using nonbroadcast communications technologies for educational television or radio programming purposes."

**SEC. 3.** Subsection 396(g)(2)(H) of the Communications Act of 1934 is amended by deleting the period after the "Broadcasting" and inserting the following: "and the use of nonbroadcast communications technologies for the dissemination of educational television or radio programs."

**SEC. 4.** Subsection 396(i) of the Communications Act of 1934 is amended by inserting after the word "appropriate" the following sentence: "The officers and directors of the Corporation shall be available to testify annually before appropriate committees of the Congress with respect to such report and with respect to the report of any audit made by the Comptroller General pursuant to subsection 396(i), or any other matter which any such committee may determine."

**SEC. 5.** Section 397 of the Communications Act of 1934 is amended by inserting, after paragraph (9), the following paragraphs:

"(10) The term 'non-Federal financial support' means the total value of cash and the fair market value of property and services (except for personal services of volunteers) received—

"(A) as gifts, grants, bequests, donations, or other contributions for the construction or operation of non-commercial educational broadcast stations, or for the production, acquisition, distribution, or dissemination of educational television or radio programs, and related activities, from any source other than (i) the United States or any agency or establishment thereof, or (ii) any public broadcasting entity; or

"(B) as gifts, grants, donations, contributions, or payments from any State, any agency or political subdivision of a State, or any educational institution, for the construction or operation of noncommercial educational broadcast stations or for the production, acquisition, distribution, or dissemination of educational television or radio programs, or payments in exchange for services or materials representing the provision of educational or instructional television or radio programs.

"(11) The term 'public broadcasting entity' means the Corporation, any licensee or permittee of a noncommercial educational broadcast station, or any nonprofit institution engaged primarily in the production, acquisition, distribution, or dissemination of educational television and radio programs."

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

Mr. ALLEN. What is the motion?

Mr. PASTORE. To reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The question is on the motion to table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent that the bill S. 2584 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

# EQUAL TREATMENT OF CRAFT AND INDUSTRIAL WORKERS

The PRESIDING OFFICER. Under the previous order, the Senate will now